

**UNDER SEAL**

**FILED**  
Charlotte, NC

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

**NOV 19 2024**

**Clerk, US District Court  
Western District NC**

**UNITED STATES OF AMERICA**

**v.**

**(1) JAVIER AVILA-RIVAS  
(2) JEFERY ADALBERTO MARTINEZ-ROMERO  
(3) CHRISTIAN JOSUE CAMPOS  
Defendants.**

**DOCKET NO.**

**3:24-cr-231-KDB**

**BILL OF INDICTMENT**

**Violations: 21 U.S.C. § 841(a)(1)  
21 U.S.C. § 846  
18 U.S.C. § 924(c)  
18 U.S.C. § 2**

**THE GRAND JURY CHARGES:**

**COUNT ONE**

*(Conspiracy to Distribute and Possess with Intent to Distribute Fentanyl)*

From at least on or about August 6, 2024, to on or about September 5, 2024, in Mecklenburg County, within the Western District of North Carolina, the defendants,

**(1) JAVIER AVILA-RIVAS,  
(2) JEFERY ADALBERTO MARTINEZ-ROMERO, and  
(3) CHRISTIAN JOSUE CAMPOS,**

did knowingly and intentionally combine, conspire, confederate, and agree with each other, and others, both known and unknown to the Grand Jury, to distribute and possess with the intent to distribute a controlled substance, which violation involved: (i) a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4 piperidinyl] propanamide ("fentanyl"), a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

**Quantity of Fentanyl Involved**

It is further alleged that, with respect to the conspiracy offense charged in Count One, four hundred (400) grams or more of a mixture and substance containing a detectable amount of fentanyl is attributable to defendants **(1) JAVIER AVILA-RIVAS** and **(2) JEFERY ADALBERTO MARTINEZ-ROMERO** as a result of their own conduct and the conduct of other conspirators reasonably foreseeable to them. Accordingly, Title 21, United States Code, Section 841(b)(1)(A) applies.

It is further alleged that, with respect to the conspiracy offense charged in Count One, forty (40) grams or more of a mixture and substance containing a detectable amount of fentanyl is attributable to defendant **(3) CHRISTIAN JOSUE CAMPOS** as a result of his own conduct and the conduct of other conspirators reasonably foreseeable to him. Accordingly, Title 21, United States Code, Section 841(b)(1)(B) applies.

All in violation of Title 21, United States Code, Section 846.

**COUNT TWO**

*(Possession With Intent to Distribute Fentanyl)*

On or about September 5, 2024, in Mecklenburg County, within the Western District of North Carolina, the defendants,

**(1) JAVIER AVILA-RIVAS and  
(2) JEFRY ADALBERTO MARTINEZ-ROMERO,**

aiding and abetting each other and other persons, known and unknown to the Grand Jury, did knowingly and intentionally possess with intent to distribute a controlled substance, which violation involved four hundred (400) grams or more of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4 piperidinyl] propanamide (“fentanyl”), a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A) and Title 18, United States Code, Section 2.

**COUNT THREE**

*(Possession of a Firearm in Furtherance of a Drug Trafficking Crime)*

On or about September 5, 2024, in Mecklenburg County, within the Western District of North Carolina, the defendants,

**(1) JAVIER AVILA-RIVAS and  
(2) JEFRY ADALBERTO MARTINEZ-ROMERO,**

did knowingly possess a firearm in furtherance of a drug trafficking crime for which each defendant may be prosecuted in a court of the United States, that is, Possession with Intent to Distribute Controlled Substances, a violation of Title 21, United States Code, Section 841(a)(1), as set forth in Count TWO of this Bill of Indictment, in violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

**COUNT FOUR**

*(Possession With Intent to Distribute Fentanyl)*

On or about September 5, 2024, in Mecklenburg County, within the Western District of North Carolina, the defendant,

**(3) CHRISTIAN JOSUE CAMPOS,**

did knowingly and intentionally possess with intent to distribute a controlled substance, which violation involved forty (40) grams or more of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4 piperidinyl] propanamide (“fentanyl”), a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B), and Title 18, United States Code, Section 2.

**COUNT FIVE**

*(Possession of a Firearm in Furtherance of a Drug Trafficking Crime)*

On or about September 5, 2024, in Mecklenburg County, within the Western District of North Carolina, the defendant,

**(3) CHRISTIAN JOSUE CAMPOS,**

did knowingly possess one or more firearms in furtherance of a drug trafficking crime for which the defendant may be prosecuted in a court of the United States, that is, Possession with Intent to Distribute Controlled Substances, a violation of Title 21, United States Code, Section 841(a)(1), as set forth in Count FOUR of this Bill of Indictment, in violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

**NOTICE OF FORFEITURE AND FINDING OF PROBABLE CAUSE**

Notice is hereby given of 21 U.S.C. § 853, 18 U.S.C. § 924, and 28 U.S.C. § 2461(c). The following property is subject to forfeiture in accordance with Section 853, 924, and/or 2461(c):

- a. All property which constitutes or is derived from proceeds of the violations set forth in this bill of indictment;
- b. All property used or intended to be used in any manner or part to commit or facilitate such violations;
- c. All firearms or ammunition involved or used in such violations; and
- d. If, as set forth in 21 U.S.C. § 853(p), any property described in (a), (b), or (c) cannot be located upon the exercise of due diligence, has been transferred or sold to, or deposited with, a third party, has been placed beyond the jurisdiction of the court, has been substantially diminished in value, or has been commingled with other property which cannot be divided without difficulty, all other property of the defendant/s to the extent of the value of the property described in (a), (b), and (c).

The Grand Jury finds probable cause that the following property is subject to forfeiture on the grounds noted above:

- (a) Currency in the amount of \$1,172, seized September 5, 2024, in the course of the investigation.
- (b) A Black American Tactical Rifle, seized September 5, 2024, in the course of the investigation.
- (c) A black rifle magazine, seized September 5, 2024, in the course of the investigation.
- (d) A Smith & Wesson .32 revolver, seized September 5, 2024, in the course of the investigation.
- (e) A P80 Glock “ghost gun”, seized September 5, 2024, in the course of the investigation.
- (f) Currency in the amount of \$5,030, seized September 5, 2024, in the course of the investigation.



FOREPERSON

DENA J. KING  
UNITED STATES ATTORNEY



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ALFREDO DE LA ROSA  
ASSISTANT UNITED STATES ATTORNEY